

**REMARKS**

Claims 1-12 are pending in this application. By this Amendment, claims 1, 3, 7, and 9 are amended. Reconsideration of the pending claims is respectfully requested in light of at least the following remarks.

The Office Action rejects claims 1, 2, 4, 5, 7, 8, 10 and 11 under 35 U.S.C. §102(b) over McQuade (U.S. Patent No. 6,362,734); and claims 3, 6, 9 and 12 under 35 U.S.C. §103(a) over McQuade in view of Slaughter (U.S. Patent No. 6,215,395). The rejections are respectfully traversed.

In particular, none of the applied references, alone or in combination, disclose or suggest a seatbelt use indicating apparatus or a seatbelt use indicating method that includes a use indicator that indicates by displaying a glow that a seatbelt is used, and a non-use indicator that indicates by displaying a glow that turns off after an amount of time that the seatbelt is not used, wherein the glow is at least one of a continuous glow, a flickering glow and a combination of the continuous glow and the flickering glow, as recited in independent claim 1 and similarly recited in independent claim 7. Support for these features can be found in the specification at, for example, paragraphs [0055] and [0056].

McQuade teaches a system for monitoring the secured/unsecured status of seatbelts in rear seating rows of a vehicle that notes the number and/or location of seatbelts secured at a base time when all doors are closed and the vehicle starts in motion (Abstract). Moreover, McQuade teaches that during the "vehicle in use" condition, the "monitor belts" status is on and monitors changes in the status of the rear seatbelt sensors (col. 5, lines 8-26; Fig. 2). McQuade also teaches that a visual alert message is displayed by the status display 16 to indicate that at least one of the belts has become unsecured, which triggers the "belt unsecured" state (col. 5, lines 29-34; Fig. 2). However, although McQuade teaches that the symbols 52 are illuminated in a first color when the seatbelt has been fastened and

transitioned to a second color when the seatbelt is insecure (col. 6, lines 40-44), McQuade does not disclose or suggest that the symbols are displayed in a continuous glow, a flickering glow or a combination of continuous and flickering glow, as recited in independent claims 1 and 7. Also, McQuade fails to teach indicating that a seatbelt is not used by displaying a glow that turns off after an amount of time, as recited in independent claims 1 and 7.

Accordingly, McQuade fails to disclose or suggest each and every feature of independent claims 1 and 7. Thus, independent claims 1 and 7, and their dependent claims, are patentable over McQuade.

Furthermore, the Office Action recognizes that McQuade does not specifically relate to display brightness (Office Action, Page 4, lines 2-3). Thus, McQuade cannot reasonably be considered to disclose, teach, or suggest that "the indication fashions relate to a display brightness," as recited in claims 1 and 7.

The Office Action attempts to make up for this deficiency of McQuade by alleging that Slaughter teaches a dimming control 134 that varies the intensity of the display indicators 118 and that such a teaching may be applied to the device of McQuade. However, the dimming control 134 in Slaughter varies the intensity as a function of the interior light level in the vehicle (col. 4, lines 11-14), and thus does not teach varying brightness of the indicators on the basis of seatbelt use, as recited in claims 1 and 7. Thus, Slaughter fails to cure deficiencies in McQuade in disclosing or rendering obvious these features of claims 1 and 7.

For at least these reasons, independent claims 1 and 7, and their dependent pending claims, are patentable over McQuade and Slaughter. Thus, withdrawal of the rejections of the claims under 35 U.S.C. §102(b) and 35 U.S.C. §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time with Check # 177741 (\$120)

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